

Rape victims in the United States undergo exams to collect physical evidence, including DNA, for what is known as a “rape kit”. The invasive process can take up to six hours. The evidence is sealed in an envelope and frozen until it is tested. But for thousands of cases in our country, the evidence is never tested.

In November 2009, the Florida Department of Law Enforcement reported that they have 452 pending sexual assault kits awaiting testing. Of those, the lab says 165 cases have been there longer than the average turnaround time of 111 days so they are considered to be “backlogged”.

It has been estimated that close to 150,000 rape kits remain untested in the United States, but the number could be much higher. Each rape kit, that is processed, helps connect DNA from the victim to a criminal. The widespread failure to test DNA evidence allows rapists to go free, often with devastating consequences. Often in the amount of time it takes to complete DNA testing the rapist will have gone on to commit a number of additional sexual offenses. The delay in testing also allows innocent individuals to be convicted and imprisoned for sex offenses they did not commit. Also, frustration with the criminal justice system can discourage women from reporting rape or cooperating with law enforcement.

I recently cosponsored the Justice for Survivors of Sexual Assault Act of 2009. The bipartisan legislation would require the federal government to collect data on untested rape kits in police and crime-lab storage facilities and require jurisdictions that get funds from federal DNA funding programs to make testing the rape kits a priority.

We must not let rapists go free. Justice can be found in these kits. If only they can be tested.
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